

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

400 P STREET, 4TH FLOOR

P.O. BOX 806

SACRAMENTO, CA 95812-0806



Date:

8/29/95

NL Industries
changed to
National Lead Corp
on June 7, 1971

To:

Secretary of State
ATTN: Corporate Status Unit
1500 Eleventh Street - 4th Floor
Sacramento, CA 95814

Corporate Name:

National Lead, Inc.

Corporate Address:

San Francisco, CA

Information Required: [choose appropriate item(s)]

- ① Corporation Status
- ② Statement of Officers
- ③ Articles of Incorporation and Amendments

Requestor's Name:

Patrick Zee / Laura Kaweski

Requestor's Address:

Dept. of Toxic Substances Control, Region 2
700 Heinz Ave., Bldg F, Suite 200
Berkeley, CA 94710

Requestor's Phone No.:

8-571-3808

Department of Toxic Substances Control Contract Number: 95-T0856

Billing Address:

Chief
Contracts and Office Services
Department of Toxic Substances Control
400 P Street, 4th Floor
P.O. Box 806
Sacramento, CA 95812-0806

Output Code/Project No.: 07-36120





Bill Jones
Secretary of State

CORPORATE FILING AND SERVICES DIVISION

1500 Eleventh Street
Third Floor
Sacramento, CA 95814

Corporation Records Section
Status Unit
(916) 653-7315

RE: CORPORATION STATUS INQUIRY

Enclosed is a computer printout of corporate information in response to your recent request.

Information contained in the computer files is shown on the printout, and an explanation of the printout is on the reverse side of this page.

If the computer scrolls do not show the name for which you requested information, a printout of the scroll will be provided. An arrow near the center of the alpha scroll will identify where the name would be located if it were of record. "No record" may be noted by the name as entered on the top of the scroll page. If you require information on any of the other names on the scroll, you may request a printout for that name. The fee is \$4.00 for each name requested.

A copy of the filed statement of officers may be obtained for a fee of \$5.00, uncertified, or \$10.00, certified.

Information regarding related businesses of individual corporate entities is not required to be filed with this office, and subsidiaries of corporations are not identified as such in the records. Copies of bylaws and names of shareholders or owners of corporations are not required to be filed in this office, and names of persons associated with corporations are not cross referenced by the name of the individual.

Telephone numbers of corporations and social security numbers for employees of corporations are not of record in this office. Information concerning bankruptcies of corporations, or other businesses or individuals, is not available from this office. Federal identification numbers, employer identification numbers and business licenses are not of record in this office.

Information regarding stock issuance, or the application for a permit to issue stock, is not filed in this office. You may direct requests regarding these matters to the Department of Corporations, for such information as may be available from that agency.

For information concerning application to revive a suspended corporation to good standing, contact the Franchise Tax Board, Sacramento, CA, Attention: Corporation Revivor Unit.

Fictitious business names, partnerships and sole proprietorships are registered with county clerk/recorder offices. Limited Partnerships, and Limited Liability Corporations are filed with the Limited Partnership Division, 1500 Eleventh Street, Third Floor, Sacramento, CA 95814.

This office does not have statutory, regulatory or investigative authority over corporate and noncorporate entities, nor is there information available in this office regarding a corporation's business practices.

**STATUS UNIT
CORPORATION RECORDS SECTION**

STATUS CODES - EXPLANATION (Item 4)

(DATE) STATUS INQUIRY Page 1

NAME (1)

CORP NO (2) INC. DATE (3) STATUS (4)

(5) CLASS (6) ST/CTRY (8)

NO OF PAGES (7)

STMT/OFFICERS LAST COMPLETE (9) DATE (10) NO (11)

COMP/INC (12) DATE (13) NO (14)

OFFICERS CERT EXEMPTION CODE (15) DATE (16) NO (17)

PRINCIPAL EXECUTIVE ADDR (18)

CITY/ST/CNTRY ZIP

CALIFORNIA ADDRESS (19)

CITY CA

MAILING ADDRESS (20)

CITY/ST/CNTRY ZIP

PRES NAME (21)

ADDRESS

CITY/ST/CNTRY ZIP

AGENT NAME (22)

ADDRESS

CITY CA

TYPE OF BUSINESS (23)

ACTIVE: Corporation is in good legal standing.

FTB SUSP: Suspended by order of the Franchise Tax Board.

SOS SUSP: Suspended by the Secretary of State.

SOS/FTB SP: Suspended by both the Secretary of State and the Franchise Tax Board.

FTB FRFT: Forfeited by order of the Franchise Tax Board.

SOS FRFT: Forfeited by the Secretary of State.

SOS/FTB FT: Forfeited by the Secretary of State and the Franchise Tax Board.

FTB/SOS SP: Suspended by the Franchise Tax Board and the Secretary of State.

FTB/SOS FT: Forfeited by the Franchise Tax Board and the Secretary of State.

DISSOLVED: The corporation is dissolved.

COND DISS: The corporation has filed a conditional dissolution.

MERGED OUT: The corporation has merged out of existence.

INACTIVE: The corporation has become inactive by conversion to a federal entity, term of existence expired or other reason as provided.

TERM EXP: Term of existence expired.

SURRENDER: Foreign corporation withdrawn from California.

CANCELLATION: Cancelled for filing fees not honored.

EXPLANATION OF STATUS INQUIRY SCREEN - Refer to number on sample screen shown above left.

- (1) Name of corporation as shown on the computer file in the records of this office.
- (2) Corporation number.
- (3) Date of incorporation or qualification.
- (4) Status of corporation (See explanation of status codes above right).
- (5) Type of corporation, e.g., domestic stock, domestic nonprofit, foreign.
- (6) Class code if domestic nonprofit corporation: (PB=Public Benefit) (MU=Mutual Benefit) (RE=Religious) (SL=Corporation Sole) (CC=Co-op) (UN=Unclassified).
- (7) Number of pages in Articles of Incorporation or Statement and Designation by Foreign Corporation, if filed after March, 1987.
- (8) State or country of incorporation for a foreign corporation.
- (9) "C" denotes the last complete statement of officers filed for the corporation.
- (10) Date last complete statement of officers filed.
- (11) Number assigned to last complete statement of officers.
- (12) "C" denotes previous complete statement of officers filed. "N" denotes a "no change" statement of officers filed.
- (13) Date previous or "no change" statement filed.
- (14) Number assigned to the statement.
- (15) Internal code regarding Officers' Certificate - Foreign Corporation. Also denotes that the Officers' Certificate - Foreign Corporation was filed. (Section 2108, CCC)
- (16) Date Officers' Certificate - Foreign Corporation was filed.
- (17) Number assigned to the Officers' Certificate - Foreign Corporation.
- (18) Address of principal executive office as set forth in the statement of officers.
- (19) Address in California as set forth in the statement of officers.
- (20) Last mailing address for the corporation as supplied to this office.
- (21) Name and address of the chief executive officer as set forth in the statement of officers.
- (22) Name and address of the designated agent for service of process. If a foreign corporation has surrendered, the agent for service of process is automatically withdrawn at time of surrender.
- (23) Type of business in which the corporation is engaged, as set forth in the statement of officers.

PLEASE NOTE: If spaces are blank, the information is not contained in the computer file. If items 9, 10, and 11 are blank, a statement of officers has not been filed.

STATEMENT OF OFFICERS IS ONE OF THE FOLLOWING: Statement by Domestic Stock Corporation, Statement by Domestic Nonprofit Corporation, or Statement by Foreign Corporation, all of which are required to be filed annually in accordance with statutory provisions.

NAME NATIONAL LEAD COMPANY

CORP NO C0618083
FOREIGN STOCKINC. DATE 02/19/1971 STATUS ACTIVE
CLASS

NO OF PAGES 00 ST/CTRY NEW JERSEY

STMNT/OFFICERS	LAST COMPLETE C	DATE 03/02/93	NO 0098202
	COMPL/NC C	DATE 02/26/92	NO 0083373
OFFICERS CERT	EXEMPTION CODE S	DATE 04/19/94	NO 0171855 A/P

PRINCIPAL EXECUTIVE ADDR 3000 N. SAM HOUSTON PKWY. EAST

CITY/ST/CNTRY HOUSTON

TEXAS
ZIP 77032

CALIFORNIA ADDRESS

CITY

CA

MAILING ADDRESS

P O BOX 60087

CITY/ST/CNTRY HOUSTON

TEXAS
ZIP 77205PRES NAME LAWRENCE A WIGDOR
ADDRESS 3000 N. SAM HOUSTON PKWY. EAST

CITY/ST/CNTRY HOUSTON

TEXAS
ZIP 77032AGENT NAME C T CORPORATION SYSTEM
ADDRESS 818 WEST SEVENTH STREET

CITY LOS ANGELES

CA 90017

TYPE OF BUSINESS INACTIVE

ENTR=CONTINUE PF2=HISTORY PF3=BACK TO WORKSCREEN PF10=MAIN MENU

DO NOT WRITE IN THIS SPACE

618083

FILED

in the office of the Secretary of State
of the State of California

FEB 19 1971

EDMUND G. BROWN Jr., Secretary of State

By Bill A. Edwards
Deputy

STATEMENT AND DESIGNATION BY FOREIGN CORPORATION

N L INDUSTRIES, INC.

(Name of Corporation)

a corporation organized and existing under the laws of New Jersey

(Name of place or state of incorporation)

, makes the following
statements and designation:

1. The location and address of its main office is 277 Park Avenue, N.Y., N.Y., 10017 6th-f

(Insert complete address of principal business office wherever located)

3 2. The location and address of its principal office in the State of California is 510 South Spring Street, Los Angeles, California 90013, Rm. 606, c/o C T CORPORATION SYSTEM

(Insert complete address of principal business office in California)

3. The specific business it proposes to transact in the State of California is:

Manufacture and sale of paints, pigments, chemicals, castings and
Industrial supplies of all types and kinds.

4. (Use this paragraph if the process agent is a natural person.)

a natural person residing in the State of California, whose complete ☐ business ☐ residence address is

is designated as its agent upon whom process directed to the corporation may be served within the
State of California in the manner provided by law.

NOTE: Either the business address or the residence address must be given. Indicate which by check
mark in proper box.

5. (Use this paragraph if the process agent is a corporation. See instructions.)

(a) C T CORPORATION SYSTEM, a corporation
organized and existing under the laws of DELAWARE,
is designated as agent upon whom process directed to the said

N L INDUSTRIES, INC.

(Insert name of corporation making statement)

may be served within the State of California, in the manner provided by law. (b) The name of the
city, town or village wherein said corporate agent has an office, as set forth in the certificate filed by
said corporate agent pursuant to Section 3301.5 or 3301.6 (if a domestic corporation) or pursuant to
Section 6403.5 or 6403.6 (if a foreign corporation), California Corporations Code, at which the said

N L INDUSTRIES, INC.

(Insert name of corporation making statement)

may be served is

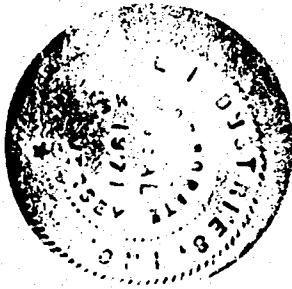
LOS ANGELES

(State only name of city, town or village—no street address)

6. The said N L INDUSTRIES, INC.

(Insert name of corporation making statement)

hereby irrevocably consents to service of process directed to it upon the agent designated above, and
to service of process on the Secretary of State of California if the agent so designated or the agent's
successor is no longer authorized to act or cannot be found at the address given.



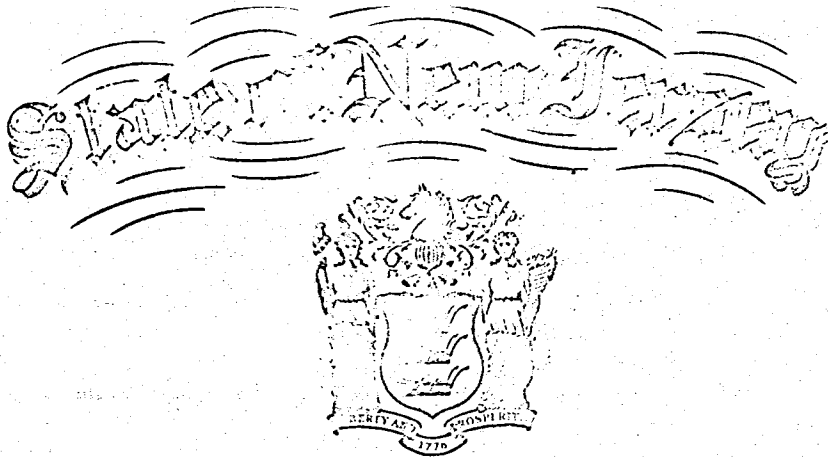
N L INDUSTRIES, INC.

(Name of Corporation)

By Joseph A. Barbera
Joseph A. Barbera, (Title) Vice President

INSTRUCTIONS:

1. This Statement and Designation must be filed in *duplicate* original.
2. This statement must be signed by the president, a vice president, the secretary, an assistant secretary, or the treasurer of the corporation.
3. No domestic corporation may be designated as agent for service of process unless it has filed with the Secretary of State the certificate provided for by Section 3301.5, Corporations Code, and no foreign corporation may be designated unless it has qualified for the transaction of intrastate business in California and has filed with the Secretary of State of the State of California the certificate provided for by Section 6403.5, California Corporations Code.
4. There must be annexed to this statement a certificate by the public officer of the state or country having custody of the original articles or certificate of incorporation or of the act creating the corporation, or by a public officer authorized by the laws of such state or country to make such certificate, to the effect that the corporation making the statement is an existing corporation in good standing in the state or country of its incorporation. Only one such certificate need be annexed, even though this statement is filed in duplicate original.
5. If the corporation is required to qualify under a D.B.A. (name other than true corporate name) pursuant to Section 6404, Corporations Code, then in the first line of this statement set out the correct corporate name, followed by "which will do business in California as _____," setting forth the D.B.A. in the space indicated. The D.B.A. *should not* be set out in connection with the corporate name anywhere else in the statement.
6. If the corporation changes its name or if there be any change in any of the statements made in this statement, then the corporation must file an Amended Statement and Designation, a form of which may be obtained from the Secretary of State.



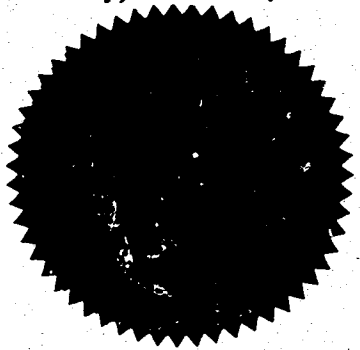
N L INDUSTRIES, INC.

I, the Secretary of State of the State of New Jersey,
DO HEREBY CERTIFY that the records of this office show that the
charter of the above-named corporation was filed in this office
on the 29th day of January A. D. 19 71.

I FURTHER CERTIFY, that so far as the records of this
office show, said corporation has never been dissolved by action
of its stockholders, nor has its charter been revoked for non-
payment of State taxes, and now continues as an existing corpor-
ation within the State of New Jersey at the time of the issuance
of this certificate.

I FURTHER CERTIFY, that the registered agent is Corporation
Trust Company, and the principal office is 15 Exchange Place, Jersey
City, New Jersey 07302

IN TESTIMONY WHEREOF, I have
hereunto set my hand and
affixed my Official Seal,
at Trenton, this 3rd
day of February A.D. 1971 .



Paul J. Sherman
SECRETARY OF STATE.

NA. CHGB. TO: NATIONAL LEAD COMPANY

DO NOT WRITE IN THIS SPACE

618083

A108507

FILED

In the office of the Secretary of State
of the State of California

JUN 7 1971

EDMUND G. BROWN, Jr., Secretary of State

By *[Signature]* Deputy

Amended

Statement and Designation by Foreign Corporation

NATIONAL LEAD COMPANY, a corporation
organized and existing under the laws of NEW JERSEY
, and which is presently qualified for the
transaction of intrastate business in the State of California, makes the following
statements and/or designation:

1. That the name of the corporation has been changed to that hereinabove set forth and that the name relinquished at the time of such change was.....
N L INDUSTRIES, INC.
2. That the location and address of its main office has been changed and the new location and address of its main office is.....N/A
3. That the location and address of its principal office in the State of California has been changed to.....N/A
4. The specific business it proposes to transact in the State of California has been changed and the specific business it now proposes to transact in the State of California is.....N/A

5. The address of the agent designated for the service of process in the State of California has been changed to N/A

6. (Use this paragraph if the new process agent designated hereby is a natural person.)

_____, a natural person residing in the State of California, whose complete ☐ business ☐ residence address is _____, is hereby designated as its new agent upon whom process directed to the corporation may be served within the State of California, in the manner provided by law.

(Note: Either the business address or the residence address must be given. Indicate which by check mark in proper box.)

7. (Use this paragraph if the new process agent designated hereby is a corporation. See instructions.)

(a) _____, a corporation organized and existing under the laws of _____ is hereby designated as new agent upon whom process directed to _____ may be served within the State of California, in the manner provided by law.

(b) The name of the city, town or village wherein said corporate agent has an office, as set forth in the Certificate filed by said corporate agent pursuant to Section 3301.5 or 3301.6 (if a domestic corporation) or pursuant to Section 6403.5 or 6403.6 (if a foreign corporation), California Corporations Code, at which the said _____

_____ may be served is _____

(State name of city, town or village only)

NATIONAL LEAD COMPANY

(Name of Corporation)

By _____

(Title)

Joseph A. Barbera, Vice-President

EDMUND G. BROWN JR.
SECRETARY OF STATE



CERTIFICATE OF QUALIFICATION

I, EDMUND G. BROWN JR., *Secretary of State of the State of California,*
hereby certify:

That on the 19th day of February, 1971,

N L INDUSTRIES, INC.

a corporation organized and existing under the laws of the State of

NEW JERSEY

, *complied with the requirements of California law in effect on that date for the purpose of qualifying to transact intrastate business in the State of California and that as of said date said corporation became and now is fully qualified and authorized to transact intrastate business in the State of California, subject, however, to any licensing requirements otherwise imposed by the laws of this State.*

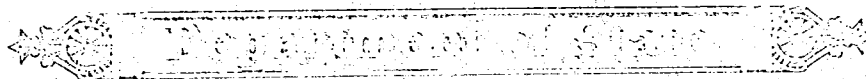


IN WITNESS WHEREOF, I execute
this certificate and affix the Great
Seal of the State of California this
22nd day of February, 1971.

Edmund G. Brown Jr.

Secretary of State

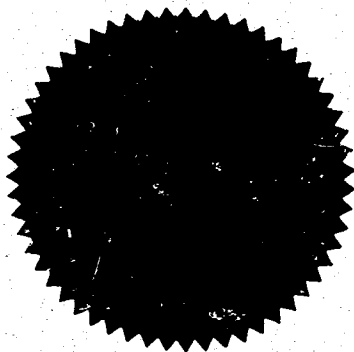
FORM 2-575-A
13
Best copy available



I, PAUL J. SHERWIN, Secretary of State of the State of New Jersey, DO HEREBY CERTIFY that the records of this office show that the charter of N L INDUSTRIES, INC., was filed on the 29th day of January, A.D. 1971 and said corporation changed its corporate name to NATION L LEAD COMPANY on April 16, 1971 and so far as the records of this office show, said corporation has never been dissolved by action of its stockholders, nor has its charter been voided for non payment of State taxes by Proclamation, and now continues as an existing corporation within the State of New Jersey.

I FURTHER CERTIFY, that the registered agent is Corporation Trust Company, and the principal office is 15 Exchange Place, Jersey City, New Jersey.

IN TESTIMONY WHEREOF, I have
hereunto set my hand and
affixed my Official Seal at
Trenton, this 16th day of
April, A.D. 1971.



Paul J. Sherwin

SECRETARY OF STATE

AGENT FOR SERVICE OF PROCESS:

CIT CORPORATION SYSTEM
818 WEST SEVENTH STREET
LOS ANGELES, CA. 90017



State of California

March Hong Tu
Secretary of State

P.O. Box 944230
Sacramento, CA 94244-0230
Phone: (916) 445-2020

STATEMENT BY FOREIGN CORPORATION

THIS STATEMENT MUST BE FILED WITH CALIFORNIA SECRETARY OF STATE (SEC. 2117, CORPORATIONS CODE)

A \$5 FILING FEE MUST ACCOMPANY THIS STATEMENT

WHEN COMPLETING FORM, PLEASE USE BLACK TYPEWRITER RIBBON OR BLACK INK

IMPORTANT - Please Read Instructions On Back Of Form

1. C0618083 DUE DATE 02-28-93 01615F
NATIONAL LEAD COMPANY
P.O. BOX 60087
HOUSTON, TX 77205

DO NOT ALTER PREPRINTED NAME IF ITEM NO. 1 IS BLANK, PLEASE ENTER CORPORATE NAME AND NUMBER

DO NOT WRITE IN THIS SPACE

THE FOREIGN CORPORATION NAMED HEREIN, MAKES THE FOLLOWING STATEMENT:

2. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE 3000 N. Sam Houston Pkwy. East	ROOM NO.	2A. CITY AND STATE Houston, Texas	2B. ZIP CODE 77032
3. STREET ADDRESS OF PRINCIPAL BUSINESS OFFICE IN CALIFORNIA Inactive	ROOM NO.	3A. CITY CA	3B. ZIP CODE
4. MAILING ADDRESS P.O. Box 60087	ROOM NO.	4A. CITY AND STATE Houston, Texas	4B. ZIP CODE 77205

THE NAMES OF THE FOLLOWING OFFICERS ARE:

5. CHIEF EXECUTIVE OFFICER Lawrence A Wigdor	5A. STREET ADDRESS (SEE REVERSE SIDE) same as above line 2	5B. CITY AND STATE	5C. ZIP CODE
6. SECRETARY David B Garten	6A. STREET ADDRESS (SEE REVERSE SIDE) same as above line 2	6B. CITY AND STATE	6C. ZIP CODE
7. CHIEF FINANCIAL OFFICER Susan E Alerton	7A. STREET ADDRESS (SEE REVERSE SIDE) 445 Park Ave	7B. CITY AND STATE New York NY	7C. ZIP CODE 10022

DESIGNATED AGENT FOR SERVICE OF PROCESS (Only one agent may be named)

8. NAME CT Corporation System	C0168406
9. CALIFORNIA BUSINESS OR RESIDENCE ADDRESS IF AGENT IS AN INDIVIDUAL (DO NOT USE P.O. BOX. DO NOT INCLUDE ADDRESS IF AGENT IS A CORPORATION)	

10. DESCRIBE TYPE OF BUSINESS OF THE CORPORATION NAMED IN ITEM 1.
Inactive

11. IF THE CORPORATION IS ANY OF THE FOLLOWING, CHECK THE APPROPRIATE BOX.

A non-profit corporation ☐
An insurance company ☐
Listed on the New York or American Stock Exchange, or is a wholly owned subsidiary of a corporation that is listed on the New York or American Stock Exchange, or NASDAQ ☒

12. I DECLARE THAT I HAVE EXAMINED THIS STATEMENT AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, IT IS TRUE, CORRECT AND COMPLETE.

Dennis G. Newkirk

TYPE OR PRINT NAME OF SIGNING OFFICER OR AGENT

SIGNATURE

Vice President

TITLE

2/24/93

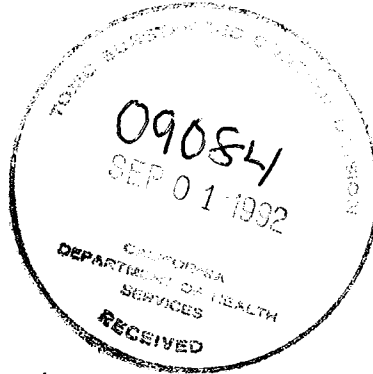
DATE

13. I DECLARE THERE HAS BEEN NO CHANGE IN THE INFORMATION CONTAINED IN THE LAST STATEMENT OF THE CORPORATION WHICH IS ON FILE IN THE SECRETARY OF STATE'S OFFICE. DOES NOT APPLY TO THE FIRST-TIME FILING. (READ INSTRUCTIONS BEFORE COMPLETING THIS ITEM)



Barry L. Sams
Principal Environmental Engineer

NL



August 28, 1992

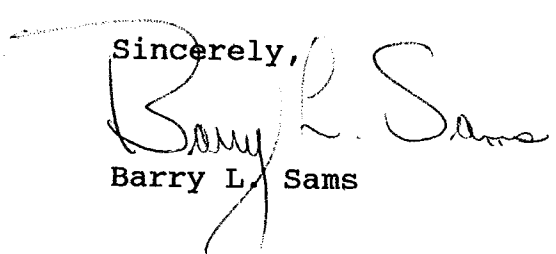
Ms. Monica Gan
Cal-EPA, Department of Toxic
Substances Control
700 Heinz Ave., Building F
Berkeley, California 94710

Re: Bay Area Drum Site

Dear Ms. Gan:

This is to advise you that NL Industries, Inc. ("NL") recently became a participating member of the PRP group which is currently forming to investigate issues relating to the Bay Area Drum "Site". NL's decision to join the group is based on the Nicholls interviews of former Site employees. It is our understanding that a copy of the Nicholls report was transmitted to you on July 7, 1992 by Nic Smith the of Nicholls Agency. Should my understanding be in error please promptly call upon me.

Sincerely,


Barry L. Sams

c.c. Joseph J. Armao - Heller, Ehrman, White & McAuliffe
BLS/psc/4108

NL Industries, Inc.
Corporate Environmental Services
P.O. Box 1090, Hightstown, N.J. 08520 Tel. (609) 443-2410
Telecopier (609) 443-2374

The Seal of the State of California is a circular emblem. It features a central figure, Minerva, holding a grizzly bear's skin and a bow. The word "EUREKA" is inscribed above her. The outer ring of the seal contains the text "THE GREAT SEAL OF THE STATE OF CALIFORNIA" and is bordered by a wreath.

May 21, 1992

Dear Mr. Casey:

the penalties allowed under Sections 25189, 25189.2, 25191 and 25367 of the Health and Safety Code. The penalty provided is up to \$25,000 for each violation and up to \$25,000 per day for each day that the violation continues. Please be further advised that provision of false, fictitious or fraudulent statements or representations may subject you to criminal penalties.

Please send your response to: Monica Gan
Cal-EPA, Dept. of Toxic
Substances Control
700 Heinz Ave. Bldg. F
Berkeley, CA 94710

I can be contacted at (510) 540-3767 if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Monica Gan".

Monica Gan,
Staff Services Analyst
Site Mitigation Branch

cc: Susan Bertken
Senior Staff Attorney
Dept. of Toxic Substances Control
P.O. Box 806,
Sacramento, CA 95814

NL

June 1, 1992

VIA FAX AND REGULAR MAIL

Ms. Monica Gan
Site Mitigation Branch
Department of Toxic Substances Control
State of California - Environmental
Protection Agency
Region 2
700 Heinz, Suite 200
Berkeley, California 94710-2737

Dear Ms. Gan:

I am in receipt of both Barbara J. Cook's May 21, 1992 letter from the State of California - Environmental Protection Agency, Department of Toxic Substances Control, to Terry S. Casey of Kronos, Inc., and your letter of May 21, 1992 to Terry S. Casey.

As briefly discussed in our telephone conversation of May 29, 1992, NL Industries, Inc. (NL) acquired the Spencer Kellogg facility at 952 Bransten Road, San Carlos, California on July 31, 1985 from Textron, Inc., of Providence, Rhode Island. Pursuant to your letter of May 21, 1992, we are currently attempting to identify any transactions which may have occurred between the Bay Area Drum Company (BADC) and Spencer Kellogg from the acquisition date of Spencer Kellogg through 1987.

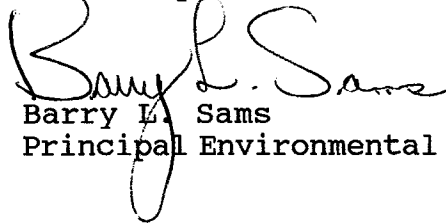
NL will not be able to attend the briefing meeting scheduled by the Department of Toxic Substances Control for June 4, 1992. We would however, appreciate being appraised of any meeting developments. In addition, please forward any BADC - Spencer Kellogg transaction documents for the time period of July 31, 1985 through 1987.

NL Industries, Inc.
Corporate Environmental Services
P.O. Box 1090, Hightstown, N.J. 08520 Tel. (609) 443-2410

Ms. Monica Gan
June 1, 1992
Page Two

Please delete Terry S. Casey from your mailing list and direct future correspondences to the undersigned.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barry L. Sams". The signature is written in dark ink and is positioned above the printed name and title.

Barry L. Sams
Principal Environmental Engineer

BLS:bas
cc: Terry S. Casey



NL

Certified Mail RRR # P321 452 565

June 12, 1992

Ms. Monica Gan
Cal-EPA, Department of Toxic
Substances Control
700 Heinz Ave., Building F
Berkeley, California 94710

Re: Bay Area Drum Company (BADC)

Dear Ms. Gan:

In response to your May 21, 1992 request for information addressed to Terry S. Casey of Kronos, Inc., a search for responsive information has been completed. NL Industries, Inc. (NL) acquired the Spencer Kellogg facility at 952 Bransten Road, San Carlos, California, on July 31, 1985 from Textron, Inc. of Providence, Rhode Island. After having reviewed the Spencer Kellogg files from our period of ownership, we were unable to find any evidence of shipments from the Spencer Kellogg, San Carlos facility and the BADC site. We refer you to the prior owner(s) of Spencer Kellogg for information on possible business transactions between Spencer Kellogg and BADC outside of our period of ownership.

If you have any additional questions with regard to our ownership of Spencer Kellogg, or can provide information about Spencer Kellogg's possible involvement in BADC after July 31, 1985, please call upon me.

Sincerely,

Barry L. Sams
Principal Environmental Engineer

BLS/dm

NL Industries, Inc.
Corporate Environmental Services
P.O. Box 1090, Hightstown, N.J. 08520 Tel. (609) 443-2410

P - 566 878 713

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (*See reverse*)

Sent to	
Jay Young	
Street & Number	
NL Chemicals, Inc	
P.O. Box 1090	
Post Office, State, & ZIP Code	
Hightstown, NJ 08520	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (See front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (*no extra charge*).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.



Cal/EPA

Department of
Toxic Substances
Control

700 Heinz Avenue
Suite 200
Berkeley, CA
94710-2737

December 3, 1996



CERTIFIED MAIL
RETURN RECEIPT REQUESTED

FILE COPY

Pete Wilson
Governor

James M. Strock
Secretary for
Environmental
Protection

Jay Young
Principal Environmental Engineer
NL Chemicals, Inc.
P.O. Box 1090,
Hightstown, New Jersey 08520

Dear Mr. Young:

The California Environmental Protection Agency, Department of Toxic Substances Control (DTSC) has determined that the Bay Area Drum Site (hereafter the Site) in San Francisco, California has a soil and ground-water contamination problem. The Site is located at 1212 Thomas Avenue at the northern corner of Hawes Street and is in the Hunter's Point district of San Francisco, California. A map of the Site area is enclosed with this letter. It is currently occupied by an abandoned office/processing plant building and the former drum reconditioning yard, which is now a flat, capped yard. The Site is fenced off from the surrounding neighborhood.

Drum recycling and reconditioning activities were undertaken by several companies, including Bedini Steel Drum, Myers Drum, Waymire Drum Co., and Bay Area Drum Co. from 1948 to 1987. The identified Site contamination consists of 60 chemical contaminants in the soil and the groundwater on-site and 58 chemical contaminants in areas immediately adjacent to the Site. Soil contamination in the drum yard includes chromium, lead, nickel, and zinc at concentration exceeding the Total Threshold Limit Concentration (TTLC) and VOCs 1,1,2,2-tetra-chloroethane, chloroform, and trichloroethene (TCE) at concentrations exceeding the State Designated Level (DL). The semi-volatile organic compounds phenanthrene and pyrene were also detected at concentrations exceeding the State DL. Pesticides and PCBs were detected at concentrations exceeding the TTLC or DL in the drum yard and in the process plant building. These chemicals are considered hazardous substances pursuant to the California Health and Safety Code (H&SC) section 25316.

The purpose of this letter is to request information from companies and individuals who did business with the Bay Area Drum Company to obtain information regarding, among other matters, the type and quantity of hazardous substances that were sent to the Site. These hazardous substances may have been released at the Site. DTSC currently has information identifying Dutch Boy, Inc., with former locations at 24th Street in San Francisco, and Marin Street in San Francisco, as a Potentially Responsible Party (PRP) as defined in section 25323.5(a) in regards to the Site. Pursuant to the authority of Health and Safety Codes sections 25185.6, 25358.1, and 25358.3, you are requested to provide DTSC with all information currently known or available to you relating to the Site within 30



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calendar days of the date of this letter.

The specific questions to be answered by you are preceded by a list of instructions and definitions of terms.

Information Request
Instructions

A. General Instructions

The procedures described below shall be followed in responding to each and every question and subpart of a question set forth in this information request.

1. Provide a separate narrative response to each and every question and subpart of a question set forth in this information request letter.
2. Precede each answer with the number of the question to which it corresponds.
3. Identify the person(s) answering each question and subpart of a question on behalf of you.
4. For each question and subpart of a question, identify each person consulted in the preparation of the answer.
5. For each question and subpart of a question, identify all documents consulted, examined or referred to in the preparation of the answer or that contain information responsive to the question and provide true and accurate copies of all such documents.
6. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question or subpart of a question or who may be able to provide additional responsive documents, identify each such person and the additional information or documents that each may have.
7. For each and every question contained herein, if information responsive to this information request is not in your possession, custody or control, then identify the persons from whom such information may be obtained.
8. The terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this information request letter any information that might otherwise be construed to be outside its scope.
9. Words in the masculine shall be construed in the feminine and vice versa, and words in the singular shall be construed in the plural and vice versa, where appropriate in

the context of a particular question or questions.

10. For questions 1- 9, an answer must be prepared for **Dutch Boy, Inc.**, its parent and subsidiary corporations, including wholly and partially owned entities, either presently or at any time in the past that either generated or transported hazardous waste that was sent to the Site.

B. Scope of the Request

This information request is directed to **Dutch Boy, Inc.**, its parent and subsidiary corporations, including wholly and partially owned entities, and covers all information in your possession, custody and control, including information in the possession of your employees, agents, servants, representatives, your attorneys, or other persons directly or indirectly employed or retained by you, or anyone else acting on your behalf or otherwise subject to your control.

C. Incomplete Response

If any question cannot be answered fully, as full an answer as possible should be provided. In such a case, state the reason for the inability to answer fully and give any information, knowledge, or belief that you have regarding the unanswered portion.

D. Lack of Information

If you currently lack information to answer any question completely, please state:

1. The responsive information currently available
2. The responsive information currently unavailable
3. Efforts that you intend to make to secure the information currently unavailable
4. When you anticipate receiving the information currently unavailable.

E. Supplemental Responses

If information or documents not known or not available to you as of the date of submission of a response to this information request should later become known or available to you, you must supplement your response to DTSC. Moreover, should you find, at any time after the submission of your response, that any portion of the submitted information is false or misrepresents the truth, you must notify DTSC of this fact as soon as possible and provide DTSC with a correct response.

F. Identification of a Natural "Person"

Whenever this information request asks you to identify a "person" where the person is a natural

person, state or identify the person's:

1. Name
2. Present or last known business address and business telephone number
3. Present or last known home address and home telephone number
4. Occupation or profession and job title.

G. Identification of a Non-Natural "Person"

Whenever this information request asks you to identify a "person," where the person is not a natural person, but otherwise falls within the definition set forth in H&SC section 25319, e.g. a corporation, partnership, business trust, or other association, or business entity (including a sole proprietorship), state or identify the person's:

1. Name
2. Legal form (e.g. corporation, partnership, etc.)
3. Present or last known principal place of business
4. Telephone number
5. A brief description of its business.

H. Identification of a Document

Whenever this information request asks you to identify a document, state or identify:

1. Its date
2. Any identifying number, such as an invoice or purchase order number
3. Its author and signatory
4. Its addressee(s) and all other persons receiving copies of the documents
5. The type of document it is (e.g. letter, memorandum, contract, report, etc.)
6. Its title
7. A summary of its substance or subject matter
8. Its custodian
9. Its present or last known location.

I. Document Production

In addition to a full and complete written answer, supplementary information contained within one or more documents that is responsive to the question may be included. In your response to the question, state the relevant document title, identify the specific section or pages from the document that are responsive to the question, and mark the relevant question number on the document.

J. Deletion from Documents

Wherever possible, complete documents should be submitted. If a document contains voluminous information irrelevant to answering a question, such irrelevant sections may be deleted. If anything

has been deleted from a document produced in response to this information request you must:

1. Specify the nature of the material deleted
2. Specify the reason for the deletion
3. Identify the person responsible for the deletion.

K. Estimates

Precise figures or dates shall be provided in response to all question calling for numerical or chronological information. Questions calling for numerical or chronological information shall be deemed to call for estimates, only to the extent that precise figures or dates are not known. In each instance that an estimate is given, the estimate should be identified as such and the source of the information underlying the estimate must be provided.

L. Confidential Business Information

The information requested herein must be provided even though you may contend that it includes confidential business information. You may, if you desire, assert a confidentiality claim covering part or all of the information requested, pursuant to H&SC sections 25173 and 25358.2, by attaching a cover sheet clearly marked "Confidential Business Information," which explains the rationale for considering this information confidential. Please include the specific citation from the Government Code exempting this information from the California Public Records Act. DTSC will construe the failure to furnish a claim of confidentiality with your response as a waiver of that claim, and such information may be made available to the public without future notice.

Definitions

All terms not defined herein shall have their ordinary meanings, unless such terms are defined in the Hazardous Substances Account Act, (California Health and Safety Code §§ 25310, et seq.) in which case the statutory definitions shall apply. Unless otherwise indicated, the following definitions shall apply to the following terms as they are used in this information request.

- A. The term "document" shall mean any object that records, stores or presents information, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration and not by way of limitation, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, cancelled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone, and other conversations including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intraoffice communications, photostat or other copy of any documents, microfilm, or other film record, any photograph, sound recording on any type of device, any punch card, disk or disk pack, any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such together with printouts of such punch card, disk, or disk pack, tape or other type of memory) and every copy of each document which

is not an exact duplicate of a document which is produced, every copy which has any writing, figure or notation, annotation or the like on it, drafts attachments to or enclosures with any document every document referred to in any other document.

- B. The term "hazardous substance" shall have the same definition as that contained in H&SC section 25316 and includes any mixtures of such hazardous substances with any other substances, including petroleum products. It shall also include any residual amounts of any hazardous substances left on containers used to store hazardous substances.
- C. The term "hazardous waste" shall have the same definition as that contained in H&SC section 25117.
- D. The term "person" shall have the same definition as in H&SC section 25319.
- E. The term "release" shall have the same definition as that contained in H&SC section 25320 and includes any spilling, leaking, pumping, poring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discharging of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant.
- F. The term "Site" shall mean the Bay Area Drum Site located in San Francisco, California, located at 1212 Thomas Avenue at the northern corner of Hawes Street, in the Hunter's Point district of San Francisco, California (see attached map).
- G. The terms "you" or "your company" shall mean **Dutch Boy, Inc.**, its current and former parent and subsidiary corporations, including wholly and partially owned entities and **Dutch Boy, Inc.** employees, contractors, trustees, current and/or former partners, successors, assigns, and agents.
- H. The term "your facility" means **Dutch Boy, Inc.** with plants formerly located on 24th Street and Marin Street, in San Francisco, California, and any other facility under your control that sent any substance to the Site.
- I. The term "drum" means any container that was used to store or transport any liquid, granular, or powder substance.

Information Request Questions

- 1. Provide all information relating to your hazardous substances management practices for all hazardous substances including any petroleum refinery products, that were used, generated, stored, treated, disposed of, or otherwise handled in or at your facility for the years 1948-1987. The description of hazardous substances management practices should include:
 - A. For all hazardous substances, including any petroleum refinery products, obtained

for your facility's operations in drums, identify:

- The nature of the hazardous substances in the drum
- The number of drums obtained per month
- The type and capacity of each drum
- The disposition of the drums after the hazardous substances were used
- The residual level left in each drum after the hazardous substances were used
- The methods used to determine the residual levels in each drum.

B. For all hazardous substances, including any petroleum refinery products, stored in drums at your facility, identify:

- The nature of the hazardous substances contained in the drum
- The number of drums stored per month
- The type and capacity of each drum
- The disposition of the drums after the substance was used
- The residual left in each drum after the hazardous substances was used
- The methods used to determine the residual levels in each drum.

C. For all hazardous substances, including any petroleum refinery products, disposed of in drums by your facility at the Site, identify:

- The nature of the hazardous substances contained in the drum
- The number of drums disposed of per month
- The type and capacity of each drum
- The disposition of the drums after the hazardous substances were disposed of
- The residual levels left in each drum after the hazardous substances were disposed of
- The methods used to determine the residual levels in each drum.

D. For all drums that once contained hazardous substances, including any petroleum refinery products, that were sent from your facility to the Site and that you assert contained no hazardous substances when they left your facility, identify:

- The nature of the hazardous substances originally contained in the drum
- The number of drums disposed of per month
- The type and capacity of each drum
- The disposition of the drums after the hazardous substances were disposed of
- The method used to remove all residual hazardous substances from the drum
- The method used to determine that no hazardous substances remained in the drum.

2. Identify all persons who have knowledge or information about the generation, use, storage, treatment, disposal, or other handling of hazardous substances at your facility. If you have reasons to believe that there may be persons able to provide a more detailed or complete response to any question contained herein, or who may be able to provide additional responsive documents, identify such persons and the additional information or documents they may have.

3. Describe the legal organization of **Dutch Boy, Inc.**, (e.g. corporation, limited partnership) including:

- A history of the organizational structure
- A listing of all current and past subsidiaries and operational divisions and parent corporations
- Corporate officers, names, titles, and responsibilities for each corporate entity
- Dates of incorporation and dissolution for each corporate entity
- Dates of any name changes of the corporate entities
- Copies of articles of incorporation, partnership documents, or other organic documents for each corporate entity.

Attach all copies of any documentation of requested information to your response to this letter.

4. Provide the net assets of your company and annual revenues of your company for each of the last five years. Attach financial statements, audits, and other documents that support these figures.
5. Provide a descriptive list of all insurance policies held by your company currently and during any period of your operations during which drums were sent from your facility to the Site that may provide coverage for liability stemming from your disposal of hazardous substances. The description should include:
 - The effective date(s) of the policy
 - The policy number(s)
 - The name and address of the insurance company
 - The amount of coverage under the policy.

Attach copies of all such insurance policies to your response to this letter.

6. Provide any known information on property condition, operations, chemical usage, and releases to the environment by other parties that you may be aware of at the Site. Also provide all information on any other person who may have sent hazardous substances to the Site.
7. Document each person and all files and records reviewed to answer the above questions.
8. Identify the person(s) answering questions on your behalf.

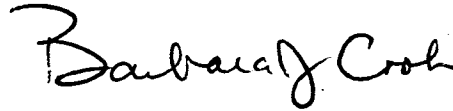
Compliance with the information request set forth above is mandatory, pursuant to sections 25185.6, 25358.1, and 25358.3 of the California Health and Safety Code. Failure to respond fully and truthfully to the information request within thirty (30) days of the date of this letter may result in enforcement action by the DTSC, subject to the penalties allowed under sections 25189, 25189.2, 25191, and 25367 of the Code. The penalty provided is up to \$25,000 for each violation and up to \$25,000 per day for each day that the violation continues. Please be further advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties.

Please send two (2) copies of the information requested to the DTSC representative:

Monica Gan
California Environmental Protection Agency
Department of Toxic Substances Control
North Coast California Cleanup Operations Branch
700 Heinz Avenue, Suite 200
Berkeley, California 94710

Thank you for your cooperation in this matter. If you have any questions relating to the request, please contact Susan Bertken, Senior Staff Attorney, at (408) 429-0113, or Monica Gan, at (510) 540-3767.

Sincerely,

A handwritten signature in black ink that reads "Barbara J. Cook". The signature is written in a cursive style with a large, stylized initial "B".

Barbara J. Cook, P.E.
Branch Chief
North Coast California
Cleanup Operations Branch

Enclosure
Certified Mail Number P 566 878 713

Jay F. Young
Principal Environmental Engineer



December 23, 1996

VIA FEDERAL EXPRESS

Barbara J. Cook, P.E.
Branch Chief, California EPA
Department of Toxic Substances Control
700 Heinz Ave
Suite 200
Berkeley, California 94710-2737

Re: Bay Area Drum Site - Dutch Boy Inc.

Dear Ms. Cook:

On December 9, 1996, I received your request for information for the referenced site. On receipt, we sent this letter to our National Environmental Counsel, Bartlit Beck Herman Palenchar and Scott. Bartlit Beck has since returned this letter with a request that I provide to you the requested information. Owing to a bout with the flu, I did not receive this request until my return to work on December 23, 1996.

Given the circumstances, the Holiday Season and the remote location of archived files which will have to be searched for the requested information, On December 23, 1996, I spoke to Ms. Susan Bertken for the purpose of requesting an extension of an additional 30 days. Ms. Bertken has agreed to the additional 30 days and has requested I advise you of our conversation.

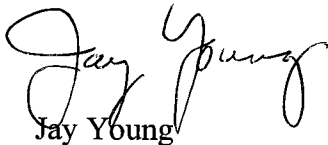
Based on a date of December 9, 1996 which I believe is the date of our initial receipt of your request, and the additional 30 days requested, it is my understanding that this information will now be due on February 7, 1997.

NL Industries, Inc.
Corporate Environmental Services
P.O. Box 1090, Hightstown, N.J. 08520 Tel. (609) 443-2407
Telecopier (609) 443-2374

December 23, 1996
Barbara J. Cook, P.E.
Branch Chief, California EPA
Department of Toxic Substances Control

If you have any questions regarding this matter, please call me, or NL's National Environmental Counsel, Mr. Marcus Martin. Mr. Martin can be reached at 303-592-3189.

Sincerely,



Jay Young

cc: Ms. Susan Bertken, Cal EPA, DTSC
Mr. Marcus Martin, Bartlit Beck Herman Palenchar & Scott

FEB 11 1997
NL INDUSTRIES, INC. ENV. SVCS
609 443 2407 TO 31318348813 1.02/02

Jay F. Young
Principal Environmental Engineer

NL

February 7, 1997

VIA FACSIMILE

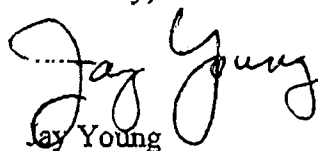
Barbara J. Cook, P.E.
Branch Chief, California EPA
Department of Toxic Substances Control
700 Heinz Ave.
Suite 200
Berkeley, California 94710-2737

Re: Bay Area Drum Site - Dutch Boy Inc. - Request for Information

Dear Ms. Cook:

On February 5, 1997, I discussed with Ms. Susan Bertken our efforts to respond to the Department's request for information. At that time I requested the required date for our submittal be extended by ten days. The added time is required to obtain and review additional file materials. Ms. Bertken has agreed to the extension and requested that we memorialize our conversation in a brief letter to you with a copy to her. I hope this information is sufficient for your needs.

Sincerely,


Jay Young

cc: Ms. Susan Bertkin

NL Industries, Inc.
Corporate Environmental Services
P.O. Box 1090, Hightstown, N.J. 08520 Tel. (609) 443-2407
Telecopier (609) 443-2374

NL INDUSTRIES, INC.
CORPORATE ENVIRONMENTAL SERVICES
P.O. BOX 1090, WYCKOFFS MILL ROAD
HIGHTSTOWN, NJ 08520

Monica

FAX: (609) 443-2374

CONFIRM: (609) 443-2412

☐

URGENT
DELIVER IMMEDIATELY

☐

CONFIRMATION REQUIRED

DATE: 2/27/97

FAX #: _____

2 PAGES (INCL. COVER)

TO: Ms. Barbara Cook, Ms. Susan Bertkin

FROM: Jay Young

COMMENTS:

Re: Bay Area Drum Request for Information

cc: Marcus Martin, Esq.

CONFIDENTIALITY NOTICE: This telecopy transmission contains confidential information which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure of this telecopied information is strictly prohibited. If you have received this telecopy in error, please immediately notify NL Industries, Inc. by telephone to arrange for return of the original documents.

Jay F. Young
Principal Environmental Engineer

NL

February 27, 1997

VIA FACSIMILE

Barbara J. Cook, P.E.
Branch Chief, California EPA
Department of Toxic Substances Control
700 Heinz Ave.
Suite 200
Berkeley, California 94710-2737

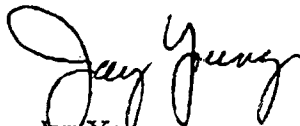
Re: Bay Area Drum Request for Information

Dear Ms. Cook:

On February 10, 1997 and on February 17, 1997, I spoke with Ms. Susan Bertkin for the purpose of obtaining extensions for the submittal of NL's response to EPA's 104(e) request for information. This additional time is being requested for the purpose of providing NL's National Environmental Counsel sufficient time to review the results of our search for responsive information and provide needed input to the response. Based on these conversations, it is my understanding that we may submit the document on February 28, 1997. This letter is being submitted pursuant to Ms. Bertkin's request that we memorialize our conversations in a letter to you with a copy to her.

Thank you for your assistance and consideration in this matter. If you have any questions regarding this matter please contact me, or NL's National Environmental Counsel, Mr. Marcus Martin. Mr. Martin is with the firm Bartlit Beck Herman Palenchar and Scott and can be reached at 303-592-3189.

Sincerely,


Jay Young

cc: Marcus Martin, Esq.

NL Industries, Inc.
Corporate Environmental Services
P.O. Box 1090, Hightstown, N.J. 08520 Tel. (609) 443-2407
Telecopier (609) 443-2374